

**MEMORANDUM**

**AUGUST 21, 2003**

**TO: BOSTON REDEVELOPMENT AUTHORITY AND  
MARK MALONEY, DIRECTOR**

**FROM: SUSAN HARTNETT, DIRECTOR OF ECONOMIC  
DEVELOPMENT  
JAY RUSSO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
NICK HANEY, PROJECT MANAGER  
DAVID CARLSON, SENIOR ARCHITECT FOR URBAN DESIGN**

**SUBJECT: COURTYARD BY MARRIOTT HOTEL AND RESTAURANT  
63 REAR BOSTON STREET AKA 33 WEST HOWELL STREET  
DORCHESTER**

**EXECUTIVE  
SUMMARY:**

This memorandum requests that the Boston Redevelopment Authority ("BRA") authorize the Director to (1) issue a Preliminary Adequacy Determination waiving further review pursuant the Article 80B, Section 80B-5.4(c) of the Boston Zoning Code ("Code"), subject to continuing design review by the BRA; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, and any and all other agreements and documents that the Director deems appropriate and necessary; and 4) recommend approval of Petition BZC-23896 for the development of the Courtyard by Marriott Hotel and Restaurant Project located at 63 Rear Boston Street AKA 33 West Howell Street in Dorchester.

**PROJECT SITE**

The Courtyard by Marriott Hotel and Restaurant Project site is comprised of two (2) parcels of land totaling approximately 110,500 square feet located at 63 Rear Boston Street AKA 33 West Howell Street in Dorchester. It is bounded to the North by the South Bay Shopping Center, to the East by the existing Holiday Inn Express Boston Hotel and an existing Bickford's Restaurant, to the South by the Southeast Expressway Access Road, and to the west by West Howell Street (the "Project Site"). The Project Site is currently used as a staging area for a contracting firm related to the Central Artery project, and previously served as a remote parking area for Boston Medical Center. Access to the Project Site is currently provided through a driveway on West Howell Street.

### **PROJECT DESCRIPTION**

Jiten Hotel Management, Inc., or an affiliated entity, (the "Developer") proposes to construct a six-story, 98,753 square foot, one hundred sixty-four (164) room Courtyard by Marriott hotel on a 2.5-acre site at the northwest end of West Howell Street in Dorchester. The hotel will have six (6) stories and stand approximately sixty-five (65) feet in height. The proposed hotel will include an approximately 6,561 square foot family-style restaurant and one hundred forty-six (146) parking spaces (the Proposed Project").

The Proposed Project will, with consultation with the immediate abutters of the site, allow for a reconfiguration of the site to allow access through a reconstructed Bickford's driveway, two driveways along Southeast Expressway Access Road and the South Bay Shopping Center. In this way, direct access to the Southeast Expressway will be provided for regional hotel generated vehicular traffic.

The Developer currently provides complimentary shuttle service, which runs to/from the Holiday Inn to Logan Airport as well as the Black Falcon Terminal. It is envisioned that the shuttle will also be used for access to the new Boston Convention & Exhibition Center in South Boston.

The Developer is assisted by a team consisting of Wayne, Richard & Hurwitz LLP and Sullivan & McDermott as legal counsel, Howard/Stein-Hudson as traffic consultants, H. W. Moore Associates, Inc. as engineers, and Piatt Associates as architects.

### **ARTICLE 80 REVIEW**

On January 8, 2002, the Developer filed a Letter of Intent in accordance with the BRA's policy on mitigation by development projects in Boston.

On January 29, 2002, letters soliciting nominations to the Impact Advisory Group ("IAG") for the Proposed Project were delivered to City Councilor James Kelly, City Councilor Maureen Feeney, State Representative John Hart, and State Representative Martin Walsh. Additional letters seeking recommendations were delivered to the Office of Neighborhood Services and the City Councilors at large.

The letters sought nominations or recommendations to the IAG by February 1, 2002. The Office of Neighborhood Services nominated Patty Leclair, Tim Ready, Millie Rooney, Joe Cefalo, and Helen Allix. Representative Hart, Representative Walsh, Councilor Kelley, and Councilor Feeney declined the opportunity to make nominations and were sent notification letters on February 21, 2002 to that effect.

On May 20, 2002, the Developer filed a Project Notification Form ("PNF") for the Proposed Project. Notice of the receipt by the BRA of the PNF was published in the Boston Herald on May 20, 2002, which initiated the public comment period with a closing date of June 19, 2002. At the request of the Developer the comment period was extended to July 19, 2002.

Pursuant to Section 80B-5.3 of the Code, a scoping session was held on June 5, 2002 with the City of Boston's ("City's") public agencies at which the project was reviewed and discussed. The Notice and the PNF were sent to the City's public agencies pursuant to Section 80A-2 of the Code. The

Developer conducted a public meeting for the community's review and comment at the Holiday Inn Express on June 19, 2002. A Scoping Determination was issued by the BRA on August 21, 2002 for the Proposed Project.

On March 14, 2003, a Draft Project Impact Report ("DPIR") was filed for the Proposed Project. Notice of the receipt by the BRA of the DPIR was published in the Boston Herald on March 14, 2003 which initiated the public comment period with a closing date of April 14, 2003. The Developer conducted a public meeting for the community's review and comment on April 7, 2003 at the Holiday Inn Express.

In addition to the two (2) above mentioned public meetings, the Developer has also made presentations to the Andrew Square Civic Association on multiple occasions, where the Proposed Project was ultimately supported.

The Developer is currently working with the Boston Transportation Department to develop a Construction Management Plan and a Transportation Access Plan Agreement in connection with the Proposed Project.

### **ZONING**

The Project Site is located within the Dorchester Neighborhood District, which is governed by Article 65 of the Boston Zoning Code (the "Code"). The Project Site lies within a Community Commercial subdistrict. The Proposed Project will include a hotel, a restaurant, as well as accessory parking. Approvals will be necessary in connection to the City's Board of Appeal on Petition BZC-23896 for conditional use permits and use variances to allow the proposed program of uses at this location.

### **MITIGATION AND PUBLIC BENEFITS**

- The creation of much needed hotel rooms within the City, especially within the close proximity to Logan Airport, downtown Boston and the new Boston Convention & Exhibition Center in South Boston;
- The creation of up to 100 new permanent jobs associated with the operations of the Proposed Project;
- The creation of up to 60 full time construction jobs;
- The creation of up to 110 direct construction jobs during peak construction periods;
- The return of the now-vacant Project Site to an active use that is compatible with existing uses in the neighborhood; and
- The enhancement of the Project Site with new landscaping that will complement area improvements.

### **RECOMMENDATIONS**

Approvals have been requested of the BRA for the issuance of a Preliminary Adequacy Determination waiving further review pursuant to Article 80B, Section 80B-5.4(c) of the Code, and for the issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process. In accordance with Section 80B-5.4(c) of the Code, the BRA may issue a Preliminary Adequacy Determination waiving further review if the DPIR, together with any

additional material and comments received by the BRA prior to the issuance of the Scoping Determination, adequately describe the impact of the Proposed Project and offers appropriate mitigation of such impacts.

BRA staff believes that the PNF along with the DPIR, project design changes, and accompanying mitigation commitments meet the criteria for the issuance of a Preliminary Adequacy Determination waiving further review. It is therefore recommended that the BRA approve Courtyard by Marriott Hotel and Restaurant Project and authorize the Director to (1) issue a Preliminary Adequacy Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.4(c)(iv) of the Code; (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement and a Boston Residents Construction Employment Plan and any and all other agreements and documents that the Director deems appropriate and necessary; and (4) recommend approval of Board of Appeal petition BZC-22437 for conditional use permits and use variances to enable the proposed uses at the Project Site.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination waiving further review under Section 80B-5.4(c)(iv) of the Boston Zoning Code ("Code"), which (i) finds that the Project Notification Form and the additional materials adequately describe the potential impacts arising from the Courtyard by Marriott Hotel and Restaurant Project and provides sufficient mitigation measures to minimize those impacts, and (ii) waives further review of the Courtyard by Marriott Hotel and Restaurant Project, under subsections 5 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority ("Authority"); and

**FURTHER VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Courtyard by Marriott Hotel and Restaurant Project, upon the successful completion of all Article 80 processes; and

**FURTHER VOTED:** That the Director be, and hereby is, authorized to execute a Cooperation Agreement, a Boston Residents Construction Employment Plan, and any and all other agreements and documents, which the Director deems appropriate and necessary in connection with the Courtyard by Marriott Hotel and Restaurant Project, all upon terms and conditions determined to be in the best interests of the Authority; and

**FURTHER VOTED:** In reference to petition BZC-23896, Courtyard by Marriott Hotel and Restaurant Project, 63 Rear Boston Street AKA 33 West Howell Street, for conditional use permits and use variances to allow hotel, a restaurant, as well as accessory parking within the Community Commercial Subdistrict in the Dorchester Neighborhood District, the Authority recommends APPROVAL WITH PROVISIO: that plans be submitted to the Authority for design review approval.